

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

MARVEL CHARACTERS, INC.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Molly M. Lens
O'MELVENY & MYERS LLP
1999 Avenue of the Stars, 8th Fl, Los Angeles, CA 90067, (310) 553-6700

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Declaratory Relief under 28 U.S.C. §§ 2201, et seq., and under the Copyright Act of 1976, 17 U.S.C. §§ 101, et seq.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES				
CONTRACT	PERSONAL INJURY	PERSONAL INJURY [] 310 AIRPLANE [] 315 AIRPLANE PRODUCT [] 320 ASSAULT, LIBEL & SLANDER [] 330 FEDERAL EMPLOYERS' LIABILITY [] 340 MARINE PRODUCT LIABILITY [] 345 MARINE PRODUCT LIABILITY [] 350 MOTOR VEHICLE LIABILITY [] 355 MOTOR VEHICLE PRODUCT LIABILITY [] 360 OTHER PERSONAL INJURY [] 362 PERSONAL INJURY - MED MALPRACTICE	FORFEITURE/PENALTY [] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY [] 365 PERSONAL INJURY PRODUCT LIABILITY [] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY [] 820 COPYRIGHTS [] 830 PATENT [] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION [] 840 TRADEMARK	BANKRUPTCY [] 422 APPEAL 28 USC 158 [] 423 WITHDRAWAL 28 USC 157	PROPERTY RIGHTS [] 800 DEFEND TRADE SECRETS ACT [] 830 OTHER FRAUD [] 835 TRUTH IN LENDING [] 840 TRADEMARK	OTHER STATUTES [] 375 FALSE CLAIMS [] 376 QUI TAM [] 400 STATE REAPPORTIONMENT [] 410 ANTITRUST [] 430 BANKS & BANKING [] 450 COMMERCE [] 460 DEPORTATION [] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO) [] 480 CONSUMER CREDIT [] 485 TELEPHONE CONSUMER PROTECTION ACT	
	ACTIONS UNDER STATUTES		LABOR [] 380 OTHER PERSONAL PROPERTY DAMAGE [] 385 PROPERTY DAMAGE PRODUCT LIABILITY	SOCIAL SECURITY [] 861 HIA (1395ff) [] 862 BLACK LUNG (923) [] 863 DIWC/DIWV (405(g)) [] 864 SSID TITLE XVI [] 865 RSI (405(g))	PRISONER PETITIONS [] 463 ALIEN DETAINEE [] 510 MOTIONS TO VACATE SENTENCE 28 USC 2255 [] 530 HABEAS CORPUS [] 535 DEATH PENALTY [] 540 MANDAMUS & OTHER	FEDERAL TAX SUITS [] 710 FAIR LABOR STANDARDS ACT [] 720 LABOR/MGMT RELATIONS [] 740 RAILWAY LABOR ACT [] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	IMMIGRATION [] 870 TAXES (U.S. Plaintiff or Defendant) [] 871 IRS-THIRD PARTY 26 USC 7609 SECURITY ACT (ERISA)
REAL PROPERTY	CIVIL RIGHTS		PRISONER CIVIL RIGHTS [] 441 VOTING [] 442 EMPLOYMENT [] 443 HOUSING/ACCOMMODATIONS [] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT [] 446 AMERICANS WITH DISABILITIES - OTHER [] 448 EDUCATION	APPLICATION [] 462 NATURALIZATION [] 465 OTHER IMMIGRATION ACTIONS [] 466 OTHER IMMIGRATION ACTIONS [] 467 OTHER IMMIGRATION ACTIONS [] 468 OTHER IMMIGRATION ACTIONS [] 469 OTHER IMMIGRATION ACTIONS [] 470 OTHER IMMIGRATION ACTIONS [] 471 OTHER IMMIGRATION ACTIONS [] 472 OTHER IMMIGRATION ACTIONS [] 473 OTHER IMMIGRATION ACTIONS [] 474 OTHER IMMIGRATION ACTIONS [] 475 OTHER IMMIGRATION ACTIONS [] 476 OTHER IMMIGRATION ACTIONS [] 477 OTHER IMMIGRATION ACTIONS [] 478 OTHER IMMIGRATION ACTIONS [] 479 OTHER IMMIGRATION ACTIONS [] 480 OTHER IMMIGRATION ACTIONS [] 481 OTHER IMMIGRATION ACTIONS [] 482 OTHER IMMIGRATION ACTIONS [] 483 OTHER IMMIGRATION ACTIONS [] 484 OTHER IMMIGRATION ACTIONS [] 485 OTHER IMMIGRATION ACTIONS [] 486 OTHER IMMIGRATION ACTIONS [] 487 OTHER 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CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23		DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y. AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?		IF SO, STATE:		1:21-cv-07957;	
DEMAND \$ _____	OTHER _____	JUDGE _____	Unassigned; see Form IH-32	DOCKET NUMBER	1:21-cv-07959		
Check YES only if demanded in complaint JURY DEMAND: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).				

(PLACE AN *x* IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
<input type="checkbox"/> a. all parties represented						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN *x* IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input type="checkbox"/> 2 U.S. DEFENDANT	<input checked="" type="checkbox"/> 3 FEDERAL QUESTION	<input type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)**DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)****DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

/s/ Molly M. Lens

DATE 09/27/2021

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[X] YES (DATE ADMITTED Mo. Nov. Yr. 2004)
Attorney Bar Code # ML6469

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)